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December 28, 2001

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To: CBA/CCAD Adult Foster Care (AFC) Providers

Subject: Long Term Care (LTC)
Information Letter No. 01-20
Criminal History Checks for AFC Providers

This letter serves as notification to all Adult Foster Care (AFC) providers of the new procedures to request criminal history checks for unlicensed personnel.

Pursuant to changes made to the Texas Health and Safety Code, Chapter 250, long term care facilities and home health agencies must now obtain criminal history checks for their unlicensed personnel directly from the Texas Department of Public Safety (DPS) or through a private entity of their choice. This change in procedures also applies to AFC providers.

All prospective AFC providers will be required to provide a copy of a current criminal history check before their AFC contract will be approved.

Effective immediately, any prospective substitutes for AFC providers will be required to provide a current criminal history check with their completed application. The prospective substitute may obtain this criminal history check themselves, or they may ask their authorized representative for assistance. The authorized representative for the criminal history check may be the AFC provider. The criminal history check must be provided to the contract manager before the substitute will be approved.

Criminal history requests may be submitted to DPS by one of the following methods:

- By visiting the DPS Records Website at <http://records.txdps.state.tx.us>. The cost is approximately \$3.50 per name request. Credits for records request may be purchased by credit card or by check.
- By mailing a written request for a criminal history record to DPS. Complete instructions for written requests are included in Attachment 1. The cost is \$15.00 per name (with fingerprints) or \$10.00 per name (without fingerprints).

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DPS will provide a written response to each criminal history request processed, regardless of method of request or result of the search. The results of the search must be submitted to the contract manager regardless of the result.

Please contact your contract manager if you have any questions.

Sincerely,

signature on file

Becky Beechinor
Assistant Deputy Commissioner
Long Term Care Services

BB:ck

Attachment

TEXAS DEPARTMENT OF PUBLIC SAFETY CRIME RECORDS SERVICE

PROCEDURE FOR REVIEW OF PERSONAL CRIMINAL HISTORY RECORD

It is the policy of the Texas Department of Public Safety that an individual or their authorized representative have access to and may receive a copy of their criminal history record information (CHRI). This policy is in compliance with Texas Government Code, Section 552.023. The individual or their authorized representative must submit a written request for the CHRI. If an authorized representative is the requestor, written authorization from the individual must be attached. The following list includes all of the items that must be submitted with each written request for the CHRI. Any missing item(s) will cause the request to be returned or delayed.

1. Printed name of individual. Include any other names used. Order of names: Last, First Middle.
2. Sex.
3. Race
4. Date of Birth: Month, Day, Year
5. A complete and legible set of fingerprints on a DPS approved fingerprint card.

NOTE: All local police and sheriff's departments are supplied with DPS approved fingerprint cards. Fingerprints submitted to request access to criminal history records must be taken by a law enforcement agency. Most departments will provide this service, however, they may charge a fee not to exceed \$10.00. It is the responsibility of the individual or his authorized representative to mail the completed card to Austin, along with the other necessary information.

6. Social Security Number.
7. Return address of individual or return address of person the individual has authorized to receive the criminal history record.
8. Enclose cash, check, or U.S. money order for \$15.00 per each fingerprint card.
Mail the written request and fingerprint card to:

Texas Department of Public Safety
Crime Records Service
Post Office Box 15999
Austin, TX 78761-5999
ATTN: Correspondence Supervisor

If a criminal history record is found, it along with the original fingerprint card will be returned to the individual or his authorized representative. If no record is found, a notation of such will be made on the fingerprint card and it will be returned to the individual or his authorized representative. If you have any questions, please call (512) 424-2474.

IMPORTANT NOTICE

Texas Government Code, Section 411.135 states that the Department of Public Safety shall design and implement a system to respond to electronic inquiries for criminal history record information.

Information provided under Section 411.135 is now accessible by utilizing the internet, as an alternative to paper submissions. The cost per internet inquiry is \$3.09 per name instead of \$10.00 per name when submitted on paper. Response to inquiries are available instantly for viewing online and may be printed on your system printer at your location. Currently there is approximately 2-3 week response time for paper submissions sent to DPS.

A \$10.00 check or money order must be attached and sent in along with the paper submission. Mail information and money to:

Texas Department of Public Safety
Crime Records Service
P.O. Box 15999
Austin, Texas 78761-5999

Payment options available on the internet are major credit card or check. Instructions for payment are on the website. For information on purchasing credits for internet use, please call MicroAssist at (512) 794-8440.

The website can be accessed through a link on the DPS website home page at:
<http://www.txdps.state.tx.us> or directly at: <http://records.txdps.state.tx.us>